BOERS HAVE RESUMED OPERATIONS WITH GREAT ENERGY.

British Attacked by Large Forces at Several Places and Forced to Retreat at One Point.

DISASTER AT NOOITGEDACHT | treatment of ink and soap the students TWO

WHERE COL. LEGGE AND THREE CAPTAINS WERE KILLED,

Four Companies of Fusiliers Probably Captured and Gen. Clements's Army Shelled out of Its Position.

AND KOOMATIPOORT THREATENED BY A COMMANDO OF RAIDERS.

Gen. Knox Reported to Have Stopped De Wet and to Be Engaged in Battle-Anxiety in London.

LONDON. Dec. 15 .- British arms have suffered another reverse in South Africa, the full extent of which is not known. Lord Kitchener reported yesterday that General Clements had been shelled out of Nooitgedacht, after losing four officers. The number of men killed is unknown. It is also zeared that four companies of the Northumberland Fusiliers were taken prisoners. This alarming news, coupled with other advices, has caused a wave of disappointment to sweep over the country. It was not expected the Boers could raise such forces as are now operating against the British at various points and even threatening Pretoria itself. It is feared the meager official dispatches do not tell the full story of disaster. Under date of Pretoria, Dec. 13, Lord Kitchener, commanderin-chief of the British forces in South Africa, reports to the War Office as foi-

"Clement's force at Nooitgedacht was attacked at dawn to-day by Delarey, reinforced by Beyer's commando from Warmbath, making a force estimated at 2,500. Though the first attack was repulsed, the oers managed to get atop of the hills, which were neid by four companies of the Northumberland Fusiliers, and were thus able to command Clement's camp. He retired on Hekpoort and took up a position on a hill in the center of the vailey. The casualties have not been completely reported, but the fighting was very severe, nd I deply regret that Colonel Legge, of the Twentieth Hussars, and Captains Mac-Bean, Murdock and Atkins were killed. Reinforcements have left here."

Lord Kitchener also reports that the Boers made an attack and were repulsed at Lichtenburg and that General Letmer was killed. Attacks upon Bethlehem and accommodation of the Cleveland, Lorain & Vried were also repulsed, the Boers losing | Wheeling road. Two of the gang were | Hay-Pauncefote treaty, one providing for ten killed and fourteen wounded. Vriehied was attacked Dec. 11. Sniping continued until the message was dispatched.

The scenes at the War Office yesterday recalled those witnessed in excited people filled the lobbies, all seeking details of the disaster. The absence of the names of any of the officers of the Northumberland Fusiliers in General the train. He found the leader in the pending Hay-Pauncefote treaty will be Kitchener's dispatch leads to the foreboding that the four companies of the Fusiliers mentioned are in the hands of the Boers. The War Office officials evidently expect a heavy casualty list, but they are Ropeful from the fact that the dispatch does not mention the capture of the Northumberlands, that such a great catastrophe has been escaped. Others were tary centers to dispatch all the available mounted infantry to South Africa.

It is reported that General Knox, operating with the British column at Reddersburg, has stopped General De Wet, and that a battle is proceeding. The report adds that many of General De Wet's fellowers have been captured.

Advices from Lourenzo Marques ray "The British troops at Koomatipoort are standing to arms in the expectancy of an attack by a Boer force of 1,500, which is in that vicinity. It is believed to be the intention of this force to make a dash upon the town. The situation is regarded as A force of 150 Portuguese infantry, a squadron of cavalry and two guns were dispatched to the frontier to-day. Gen. Louis Botha is reported to be twenty miles from Standerdton, with 1,500 men and one gun. He has called a meeting of the burghers for Sunday.

FIGHTING NEAR KRUGERSDORP.

General Clements Said to Be Engaged with the Boers in the Hills.

JOHANNESBURG, Dec. 14, 3:20 p. m .-The battle still continues in the hills a Ciements has asked for reinforcements and mounted men, under General French, have already gone. There have been many casualties on both sides. It is estimated that the Boers number 2,800.

If, as stated in the foregoing dispatch, General Clements is engaged with the Boers in the hills near Krugersdorp, Lord Kitchener's dispatch must have been amazingly bungled. He reports the disaster as having occurred at Nooltgedecht, and says Delarey's Boers were reinforced by a commando from Warmbath. Nooitgedecht and Warmbath are at least 125 miles east of Pretoria, on the railway line that runs to Lourenzo Marques. Krugersdorp, mentioned in the Johannesburg dispatch, is about twenty-five miles southwest of Pretoria, and about ten miles northwest of Johannesburg. If the Boers are in force near Krugersdorp it shows they intended to rush either Pretoria or Johannesburg.

Kruger and Leyds Unmoved.

LONDON, Dec. 15 .- "Mr. Kruger and Dr. Levds, who dined this (Friday) evening at the palace," says the correspondent of the Daily Mail at The Hague, "on hearing of the British disaster at Nooitgedacht were the English would break their necks on the Magaliesberg, and he reasserted his complete confidence in ultimately forcing

WORK FOR CRIMINAL COURT

Hazing of Students That Goes Beyond the Limit of a Prank.

CHICAGO, Dec. 14.-Frank Lust, a student in the Northwestern University Academy, was hazed last night by twelve students. He was taken from the university gymnasium, where he was practicing, to a secluded spot on the lake shore. He was blindfolded and his clothes removed. A coat of black ink and soft soap was then daubed over his entire body. After the lined up and compelled him to run the gauntlet. He was passed from one to another in the crowd and each one took occasion to slap him about the body. After fifteen minutes of this kind of treatment he was wrapped up in blankets and taken to his home, on the Sheridan road. The young man was nearly overcome from exposure and from the hard treatment he had received, and fainted while being taken to his home. The students, however, managed to revive him before he was taken into his room. Last week Lust received a threatening letter signed by several ficti-MENACED tious names, in which he was asked to OTHER watch out for dire treatment. All the hazing band wore handkerchiefs over the lower parts of their faces. The clothing they wore was old, but, despite this fact, it is thought the victim recognized several of his tormentors.

This is the second student at the academy that has been hazed within the past week. Last Friday night F. H. Sandmeyer was visited in his room by half a dozen students and treated to a coat of fly paper. Dr. Herbert Fisk, principal of the Northwestern University Academy, returned to Evanston yesterday and will commence at once an investigation of the recent hazing. Dr. Fiske will be assisted by the Northwestern University faculty, and states that the affair will be sifted to the bottom. None of the faculty, so far as could be learned late last night, had heard it will be in a shape entirely unacceptaof the hazing of Lust.

DESPERATE ENCOUNTER ON A RAIL-WAY PASSENGER TRAIN.

Two of the Gang that Looted the Shanesville, O., Bank Captured, but the Other Four Escaped.

PANIC IN A WOMEN'S COACH

OCCUPANTS ATTEMPTED TO ESCAPE OUT OF THE WINDOWS.

Bullets Were Flying Thick, and the Train Was Running at Full Speed -Reward for Train Robbers.

WHEELING, W. Va., Dec. 14.-The gang of desperadoes that robbed Doerschuck's bank at Shanesville, O., arrived at Bridgeport just before night on the Massillon captured after a desperate encounter with abrogation of the Clayton-Bulwer treaty officers and trainmen. Four others escaped in an indirect way and the other striking and a posse is pursuing them.

where they had robbed a couple of houses. | was taken on the amendments. and broke into the schoolroom to secure quarters for the night. Officer Meister, of this place, heard of them being on the leaders, and resolved into such a form as train, went to Wheeling creek and entered to make it absolutely discourteous, the women's coach. The desperado drew a revolver, and a fight was at once started, the President. The communication will which continued until the train reached be purely pro forma, for the administra-Bridgeport, when other officers got on tion has not the slightest idea that the Two of the gang were overpowered, but the others jumped through the windows

and made their escape. women were frantic with fear and many position comparing in degree with the tried to jump from the windows while the train was in motion to escape the flying

One of the men captured had \$360 in cash. mostly bills, with several hundred pennies in a sack which has the name of the robbed bank stamped on it. They had several botles of nitroglycerin, dynamite car- for such action in the disposal made of tridges, fuses and various burglar tools. The two are a surly pair, and refuse to But in that case the objection was all on talk or even give their names. Officer Meister had one hand terribly

cut. Theodore Thomas, trainman, had a hand cut and twisted. Windows were broken in cars and seats were torn up.

Suspects Not Identified.

NEW ORLEANS, Dec. 14 .- A number of suspects have been arrested in connection with the Illinois Central hold-up, but none of them has been positively connected with the case. The Postoffice Department will offer \$1,000 reward. The mail has all been traced and not more than \$45 are missing. Blood stains have been found along the trail of flight of the robber. Bloodhounds

BARREN ONLY IN NAME.

Northern Canadian Wilds Covered with Trees-Captive Released.

VANCOUVER, B. C., Dec. 14,-Prof. J. W. Tyrell, the celebrated explorer Canadian wilds, has returned from an expedition through the barren lands of northon the tour. His expedition, which was sent out by the Canadian government, met with many perils in the long journey to the northwest of Hudson bay. Professor Senator Money suggested that Tyrell made the important discovery that | Morgan had given notice that he would the barren lands generally supposed to ask that the vote on the treaty should be be treeless prairie, were covered in many places with rich northern forests, and upon the Nicaragua canal bill.

In August Prof. J. W. Bell, of the geomand of the expedition, went on a side thing which would lead Great Britain to tour of 500 miles up one of the branches of the Thelon. There he rescued an Engishman named Charles Bunn, who had for five years. Captain Bell was in the lead of the party when they entered a village just before nightfall, and was amazed to see a tall, well-built man, dressed like treaty on the attention of the Senate early an Esquimaux, come running up and address him in English. Bunn told a marvelous story. He said he had gone out from into the interior, shooting and trapping He ran short of provisions, and applied to an Esquimaux family. They took him to quite unmoved. Mr. Kruger said he thought | their village, where he was compelled to remain, living as one of them. He had sevined Bell's party and came out to Edmonton with the explorers.

BRITAIN IS NOT EXPECTED TO AC-CEPT THE AMENDED TREATY.

The Administration Has No Hope that the Hay-Pauncefote Agreement

Will Ever Become Effective.

AMENDMENTS

REPORTED FROM COMMITTEE TO

One Provides for Virtual Abrogation

SENATE EXECUTIVE SESSION.

in a Roundabout Way.

of the Clayton-Bulwer Treaty

KILLS ARTICLE III fote treaty.

AND INVITES ALL POWERS TO AD-

HERE TO THE NEW TREATY.

Senate Unwilling to Fix a Day for the Final Vote-Further Comment

by the London Press.

Special to the Indianapolis Journal. WASHINGTON, Dec. 14.-The belief tonight is strong that, as amended, the Hay-Pauncefote treaty will be ratified, but that when the Senate gets through amending it ble to Great Britain. In some quarters it is thought, on the other hand, that England is so anxious to retain the smallest semblance of treaty right to inverfere in the control of the Nicaragua canal, if it is ever built, that she will accept the treaty, no matter in what shape it reaches her. Such, however, is not the opinion of the State Department. There it is held that the adoption of the Davis amendment is so distasteful to England that she will decline to exchange ratifications of the amended treaty. Of course if the amendment, based upon the principles of the treaty of Constantinople, which she dictated relative to the Suez canal, is so repugnant to her when applied to the proposed Nicaraguan canal as to cause her to reject the treaty then there is an end of all attempts at the joint control by this country and England of a canal to be built in the United States on American soil. The canal in that event would, if built, be wholly an American affair to be used in peace and war as the test interests of the United States would dictate, free to nations in peace and free to the United States in war. There is a strong centiment in favor of this solution

ADDITIONAL AMENDMENTS.

of the problem, and it may yet be the out-

Proposed Changes Which Abrogate the Clayton-Bulwer Treaty.

associated Press Dispatch. committee on foreign relations to-day reported two important amendments to the out Article 3 and inviting all the powers The gang got on the train at Holloway, to adhere to the agreement. No action

Unless amended beyond any degree proposed in the Senate by the responsible submitted to the British government by convention will be accepted by the British government. If this belief is well founded, then the document will go into the During the fight on the train men and limbo of treaties failed of ratification, its President might, if he regards the amendments made by the Senate to the treaty as objectionable, take upon himself the responsibility of administering the final stroke, by simply withholding it from the British government. There is a precedent certain treaties by President Cleveland. our side, while, in the present, it is assumed that Great Britain may be obnoxious, and so might be properly accorded the privilege of passing upon them finally. That is the administration view of

the situation. Notwithstanding what amounted to the authoritative denial that the secretary state had resigned, the story was persistently circulated during the day, and finally reached the ears of some of Secretary Hay's fellow Cabinet officers. These declare that nothing whatever was said at the Cabinet meeting to-day on this subject, and said even the treaty proceedings in the Senate yesterday were not discussed. So, as before stated, it is not to be pected that there will be any change 'n the head of the State Department, for the present at least.

NO DAY FIXED FOR VOTE. After reporting to the Senate in executive session the two new important amendments to the treaty as made by the committee on foreign relations, Senator Lodge made an effort to have a day set for the ern Canada. He traveled over 5.000 miles taking of a vote on the treaty. He suggested next Thursday as the generally acceptable time, but Senator Mason first postponed until a vote could be secured disposed to make that Senator Butler afterwards declined to move an adjourn-

of these inserts the words "which is here- Breton.

by superseded" after the words "Clayton- | 1 Bulwer treaty," in the first paragraph of Article 2 of the treaty, making that para-

graph read as follows: "The high contracting parties, desiring to preserve and maintain the 'general principle' of neutralization established in Article 13 of the Clayton-Bulwer convention, which is hereby superseded, adopts as the basis of such neutralization the following rules, substantially as embodied in the convention between Great Britain and certain other powers, signed at Constantinople, Oct. 29, 1888, for the free navigation of the Suez maritime canal." The second of these amendments strikes

"The high contracting powers will immediately on the exchange of the ratifications of this convention bring it to the notice of the other powers and invite them to

out Article 3 of the treaty, reading as fol-

adhere to it." INDIRECT ABROGATION.

It was stated that the committee had been unanimous in its action, with the exception of Senator Money, who opposes any action except the absolute and unconditional abrogation of the Clayton-Bulwer treaty. That result is accomplished by the amendment adopted to-day, but the Mississippi senator would have this done through other means than the Hay-Paunce-

Aside from the reporting of the new amendments, the proceedings of to-day's executive session consisted wholly of speech-making, the speakers being Senators Culberson, Spooner, Lindsay, McCumber and Elkins. Senator Culberson spoke for the adoption of tactics similar to those outlined by the Money resolution, which provides for the abrogation of the Clayton-Bulwer treaty by diplomatic methods. He said he was opposed to proceeding by piecemeal to get rid of a compact so objectionable to American ideas as the Clay-(CONTINUED ON PAGE 4, COL. 6.)

LECTURE BY GEN. HARRISON BE FORE MICHIGAN STUDENTS.

He Holds that All Civilized People Our Island Possessions Are Citizens of the United States.

LEGAL ARGUMENT

BUT A POPULAR DISCUSSION OF VIEWS RECENTLY EXPRESSED.

Provisions of All Treaties Subject the Constitution, and None Can Impair It.

ANN ARBOR, Mich., Dec. 14.-Genera Harrison delivered a lecture this evening before the Students' Lecture Association of Michigan University on "The Relation of the Annexed Permories and Their Civilized Inhabitants to the United States.' It was, as General Harrison declared, no intended to be a legal argument on ques tions brought into discussion by the Porto WASHINGTON, Dec. 14.-The Senate Rican bill, but rather a popular discussion of some of the views that have been expressed in relation to our annexed territories. The lecturer declared that we had done something out of line with our hi terical precedents-not in the fact of expansion, but in the character of it. He sai we had taken over peoples, rather than lands, as heretofore. He held that the civflized inhabitants of the territories were citizens of the United States, and that the revenue provisions of the Constitution, relating to taxation for federal purposes, ap-

plied to the territories. from precedent was found, he said, especially in the character of the inhabitants of the Philippines. As to Porto Rico and Hawaii, there would probably have been no occasion for treating them otherwise than we have usually done. The competition of have had influence when the question of taking over the Philippines was before us.

but it was now too late. General Harrison argued that the provisions of the Spanish treaty and of all treaties were subject to the Constitution, islands became part of the United States in the sense of the Constitution, their people became citizens, and the revenue clause, which was especially under discussion in the Porto Rican case, applied. He argued that the limitations in the Constitution on the powers of Congress, whether expressed in the affirmative or negative form, applied to the exercise of that power in all places, and that the very object in the section requiring duties to be uniform throughout the United States, which was to prevent Congress from establishing anywhere under the jurisdiction of the United State favored ports, would be thwarted, if for eign goods might be admitted to Porto Rico free, and thence into the United States free. He especially dwelt on th ilberty clauses of the Constitution as nec essarily applicable to all civilized peoples owing allegiance to the United States.

MISS FLAGLER TO WED.

Young Woman Who Tried to Frighten

a Negro and Shot Him. WASHINGTON, Dec. 14. - The engage ment of Miss Elizabeth Moore Flagler to Dr. W. G. McKeen, of Badeck, Cape Breton, is announced by her mother. The maring him instantly. Green had been breaking the branches of pear trees in the grounds surrounding the Flagler residence been held in captivity by the Esquimaux | then entered objection to fixing a time for | lad to desist, but he did not heed her, | Jan. 1." a vote. Senator Lodge said that, in view whereupon she fired a revolver, simply with of the position taken, he should press the the intention, her friends say, of frightenherself immediately to the chief of police and was exonerated by the coroner's jury. ment from to-day until Monday because She was subsequently indicted and tried of the refusal to allow a day to be named | the following February. She was convicted When the Senate went into executive to three hours' imprisonment and \$500 fine. | tary affairs, with which he transmitted a a mile will be granted the G. A. R. for ments agreed on in committee. The first since been living in retirement at Cape

SENATE URGED TO HASTEN PASSAGE OF THE ARMY MEASURE.

War Department Has Ordered Return of Volunteers, and Their Places Must Be Filled at Once.

INSTRUCTIONS TO MACARTHUR

MUST SEND BACK TROOPS ON ALL TRANSPORTS LEAVING MANILA.

Thirty-Seventh Regiment Will Sail or Jan. 1, and the Eleventh, Cavalry on the 15th.

DESIRABLE RE-ENLISTMENTS

BUT NO EXPECTATION THAT VOLUN-TEERS WILL REJOIN THE ARMY.

Letter from Secretary Root in the Interest of Officers Who Served in the Civil War,

WASHINGTON, Dec. 14.-Secretary Root was before the Senate committee on military affairs for two hours to-day, going over the army reorganization bill. He urges that the anti-canteen provision inserted by the House be stricken out, saying that the canteen or post exchange is an important factor in army life from a social point of view. He feared it migh be difficult to secure recruits with the canteen abolished. The secretary again dwelt on the importance of speedy action on the bill, saying that transports from Manila would begin to leave San Francisco tomorrow, and that all transports leaving PRISONER MAY BE RELEASED after this time would bring volunteer soldiers back. He called attention to the fact that civil government had been established among some of the Filipinos, and said that it would not do to leave them

upprotected even for a short time. Secretary Root has cabled instructions to General MacArthur to begin the work of returning the volunteer troops from the Philippines in order to permit of their discharge in this country by the 30th of June next. This action has been taken in anticipation of the authorization by Congress of the enlistment of regular regiments to replace the recalled troops. Plans for the organization of the proposed new regiments have been perfected at the War Department and complete arrangements made for their speedy recruitment awaits only the approval of Congress. It is hoped by the secretary of war and the military authorities that the bill for the reorganization of the army, now before the Senate, will become a law before Congress takes a recess for the holidays, on the 21st inst. The officials make no secret of their great concern over the existing situation, and say that the failure of Congress to take immediate action for its relief undoubtedly will result in considerable embarrassment to the government and seriously retard the execution of the administration's policy for the establishment of an efficient and stable government in the archipelago.

VOLUNTEERS MAY NOT RE-ENLIST The opinion is expressed at the War Department that there is no prospect of a general re-enlistment on the part of the jury could be secured in the county to try volunteers in the Philippines. The records The occasion for the recent departure of the department all tend to show that only a small percentage of the state troops are likely to offer services beyond their present term of enlistment. Officers serving with volunteer regiments in the Philippines have been sounded on that point and but she showed little anxiety or nervoushave reported a general disinclination on our home products and especially the free- the part of the volunteers to prolong their to-day, and after the jury had been disdom of the Filipinos to settle in the States, fcreign service. It is recalled that a similar state of affairs existed among the State volunteers recruited during the Spanish war. There were about 16,000 of these volunteers in the Philippines when the volunteer regiments were mustered out at the close of the Spanish war, and of that number only 1,450 men re-enlisted for service in the Philippines in the present volunteer army, notwithstanding the liberal in ducements offered by the government to that end, including travel pay allowance to the amount of \$400 to each man who re

enlisted. The plans of the War Department fo bringing home the volunteer troops are shown in the following cable message dated Dec. 11, from General Corbin to Gen-

eral MacArthur, at Manila: "Send volunteers convalescent to the capacity of the next transport returning, and a volunteer regiment by transport following. As you report 69,000 now, the secretary of war directs that you start home the volunteer regiments until the force is reduced to 60,000, the number fixed before beginning reinforcement by regulars. Will send you regular regiments to further relieve the

To the foregoing General MacArthur replied on the 13th inst., as follows:

"With reference to your telegram of the 11th, the Thirty-seventh volunteer infantry regiment sails on the transport Sheridan Jan. 1, and the Eleventh Regiment, volunteer cavalry, on Jan. 15. The movement will continue as directed till completed. The Thirty-sixth Regiment is in the field; cannot leave at present. Authority is requested to retain regular officers in the volunteer service whose regular organizations are riage will take place in June. Miss Flag. here. Also volunteer officers now assigned ler is a daughter of Brig. Gen. Daniel W. to special duty who so desire, with a view Flagler, at one time chief of ordnance of to muster out June 30. An important questhe army. In August, 1895, Miss Flagler | tion of policy is involved, as the departure of volunteers almost renders it impossible rence. She shot a negro boy, Ernest Green, to furnish officers for special duty, the necessities for which are increasing. Transport Sherman leaves Dec. 15 with about 500 volunteer convalescents, and the transport Warren Dec. 22 with the same number. Any in Washington. Miss Flagler warned the remaining will go on transport Sheridan

ROOT TO HAWLEY.

Letter Urging Adoption of a Bill in Interest of Army Officers.

WASHINGTON, Dec. 14.-Secretary Root to-day sent a letter to Senator Hawley, of involuntary manslaughter and sentenced | chairman of the Senate committee on millletter from the adjutant general of the

any officer of the army now on the active list below the grade of brigadier general who served during the civil war when retired be retired with the rank and pay of the next higher grade. "Such a provision," the secretary says, "is contained in Section 36 of the bill (S. 4982) introduced by you at the commencement of the session. The same provision was in a similar bill introduced in the House by Mr. Hull and was favorably reported by the House committee on military affairs, but was stricken out in the House, and it is therefore not in | Cyrus J. Clark Appointed Receiver by the S. 4300 as it came from the House and is now before your committee. I beg that you will restore this provision. Appended to the adjutant general's letter is a list of all the officers of the army who would be affected by it. You will see that there are but 268 of all grades. You will see that a large proportion of them have already held and rendered service in the volunteer forces in the higher grade in which this provision would enable them to retire. Among them are many who have rendered conspicuous service as major generals and brigadier generals, and but for such a provision must now retire as colonels or lieutenant colonels. All of them by the terms of the provision must have served through the civil war, the Indian wars, the war with Spain and in the Philippines and in China. This provision gives to them after a lifetime of faithful and devoted service merely a retiring rank commensurate with the responsibility they have borne and the duties they have performed. Congress has accorded the same privilege to the officers of the navy. Surely the services and sacrifices and achievements of these veterans of the army leave no just grounds for an invidious distinction against them." Adjutant General Corbin's letter is an

LITTIE I OIL TROGOTE TO

AND THREE FOR MANSLAUGHTER IN THE FOURTH DEGREE.

elaboration of what Secretary Root says.

Jury in the Case of Jessie Morrison, Tried for the Murder of Mrs. Castle, Could Not Agree,

JUDGE SHINN INCLINED TO GRANT APPLICATION FOR BAIL,

Prosecutor Not Satisfied, and Says He May Arrest Three Jurors on the Charge of Perjury.

ELDORADO, Kan., Dec. 14.-Jessie Morrison's trial for the murder of Mrs. G. Olin Castle, whose life she is charged with having taken because of her love for Castle, ended to-day at noon in a hung jury. Al and equipment. Action in this matter though the jurors did not agree on a verdict, the result of their deliberations came near being an acquittal. Almost from the start, and before the case had been discussed by them, nine of the jurors voted for acquittal and three for conviction, the three holding out for manslaughter in the fourth degree, the punishment for which ranges from six months in jail to two years in the penitentiary. The jurors had been out since Tuesday morning, and for the last three days, realizing that they could not reach a verdict, they had waited pa tiently for their discharge.

The case will now go over to the spring term of court. In the meantime Miss Morrison's lawyers will make application for her release on bond, which, it is believed, Judge Shinn has already made up his mind to grant. It is not believed that another

the case. Miss Morrison, who is a frail little woman, twenty-nine years of age, had undergone a terrible strain, not only during her five months' imprisonment, and during the tedious three weeks' hearing of the case, ness when she appeared in the courtroom to her cell. There she threw herself upon her cot and wept violently. Later, when seen by a newspaper man, she would not talk of her case. "I don't want to say a

thing," she pleaded. Former Probate Judge Morrison, the prisoner's father, who has attended his daughter daily through the trial, said that he was very much encouraged. "It shows that there is not much doubt of Jessie's innocence," he said. "Then," he added. "I hear a good many folks say if the county attorney does the right thing he will dismiss the case."

County Attorney Brumback is quoted as saying this afternoon: "It was all a farce. I knew there were three jurors unfavorable to the State, and would hang the jury, I will begin at once to investigate and arrests for perjury are pretty sure to follow. Perjury has been committed in the testimony of the defense."

The standing of the different members of the jury created great surprise. Juror Alexander Hewitt said that as soon as the case was given to the jury Tuesday morning he was elected foreman. The instructions were carefully read and an informal ballot taken. On the first ballot before any discussion had taken place the vote stood nine for acquittal, two for conviction, one not voting. The second ballot resulted nine for acquittal and three for conviction. On the third ballot there were eight for acquittal and four for conviction. The next ballot again resulted nine for acquittal and three for conviction, and from that timeearly Tuesday morning-it did not change.

ONE CENT A MILE.

Rate that May Be Made for the G. A. R Encampment.

ST. LOUIS. Dec. 14.-Chairman McLeod. of the Western Passenger Association, arrived here to-day from Chicago for the public in relation to the rates and conditions for the annual Encampment of the G. A. R. next fall, which is proposed to be held in Denver. Mr. McLeod called like- of the assessments now levied wise on the general passenger agents of He also conferred with Col. Charles Makepeace Pratt, chairman of thhe Southwestern Passenger Bureau. The subject is to be impression is that a special rate of 1 cent secure the adoption of the provision that earlier than the second week in September. as well as the membership at large, will

THE BUSINESS OF THE CHOSEN FRIENDS TO BE WOUND UP.

Judge Leathers Upon Attorney General's Application.

REPORT BINGHAM'S

EXAMINED THE FINANCIAL

And Recommended That It Make No Further Attempt to Con-

tinue in Business,

STATUS OF THE ORDER

HART'S STATEMENT

LEGISLATURE SHOULD AMEND FRA-TERNAL INSURANCE LAWS.

No Company Can Live that Pays No Heed to Mortality Rates-Developments of the Day.

As predicted in yesterday morning's Journal, the Order of Chosen Friends, one of the largest fraternal beneficiary organizations in the United States, with its main offices in the Commercial building of this city, was yesterday placed in the hands of a receiver. The application was made in Judge Leathers's court by Attorney General William L. Taylor and Auditor of State Hart, with E. D. Logsdon, a certificate holder, named in the order as a

party to the suit. Cyrus J. Clark, ex-sheriff of Marion county, was named by the court as receiver, and gave bond in the sum of \$50,000, with

the Union Trust Company as his surety. The attorneys for the order suggested that Thomas J. Yount, assistant to Thomas B. Linn, supreme recorder, be appointed receiver. Yount was disqualified because he is a stockholder in the order, and then various trust companies and different men were suggested, but the court finally appointed ex-Sheriff Clark. The appointment was very agreeable to the State and attorneys and officers of the order.

AN INJUNCTION. Judge Leathers also granted an injunction which will prevent the various ledges of the order from remitting the assessments levied and now in their hands to the treasury at Newark, N. J. Mr. Clark, immediately upon his appointment as receiver of the order, began making an investigation of the tangible assets now in possession of the order, and sent telegrams to various councils of the order in the large cities to not pay money to any one other than the receiver. Accompanied by Mr. Linn he will leave for New York to-day to take possession of the funds de-

posited to the credit of the order in the New York and Newark banks. In making the application Attorney General Taylor said he wished to impress upon the court's mind that nothing was held against Linn or Yount; on the contrary, he spoke in the highest terms of their method of bookkeeping, and said that in the investigation every item had been found correct. Mr. Taylor requested that they be appointed to assist the receiver in clos-

ing up the affairs of the order. AN EXPERT'S REPORT. The exact condition of the order, as revealed by the investigation conducted by the State auditor, are contained in the following statement made by George U. Bingham, expert examiner in Auditor Hart's

"Complying with your letter of instruction I have made an examination of the affairs of the Supreme Council of the Order of Chosen Friends. I found that owing charged walked quietly with her relatives to the absence of the secretary in Newark, N. J., for several weeks past checking up the accounts of the treasurer of the order the books are not written up to date, and for this reason I have been unable to make as complete a report of the financial condition of the order as desired in the time given to the work. At this date the records show unpaid claims as follows: Death benefits unadjusted...... 153,899.85

> Death benefits adjusted, but waiting proof of rights of benefici-Old age claims due at this date.... .\$511,289,14

> One hundred shares of stock in Home Loan and Savings League of New York (book value) Claim against bond of ex-treas-

> Assessments in process of collec-90,300.00 tion (estimated)..... "In addition to the above there is some cash in the hands of the treasurer. The amount could not be ascertained for the reason that his office is in Newark and the secretary's books have not been written up to date for the reasons heretofore given "On Nov. 1 the amount was \$23,738.31, but this and the collections since have been practically used up by the warrants drawn against it. The receipts for the Novem-

ber assessment will begin to be paid to the treasurer in a few days. These are estimated at \$45,000. The returns from the December assessment will not be remitted until the latter part of next month OUTSTANDING CLAIMS. "The claims against the order filed each the proceeds of each monthly hind in paying its claims. The former

treasurer was found to be short in his accounts \$34,606.85, but I think most of this loss will be recovered upon his bond. "It will be seen from the facts shown above that there is no prospect of the order ever being able to pay the claims now due and in process of adjustment, and also meet the current claims that will be filed from month to month from the membership. Under its certificate and its laws it has the power to levy an emergency arsessment to meet these claims, but such an assessment would be such a large tax against each certificate that it would almost certainly result in a lapsing of the

"The insolvent condition, shown from their Denver encampment, providing only figures given above, leads me to conclude army urging that an effort be made to I that the date of the encampment is set not | that the interest of all those having claims